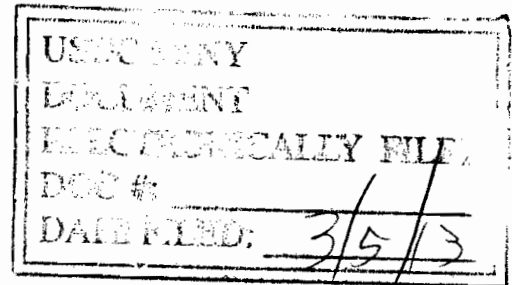


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

12 Misc. 115 (JSR)

In re: MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASE:

IRVING H. PICARD,

Plaintiff,

v.

LGT BANK IN LIECHTENSTEIN LTD.,

Defendant.

Adv. Pro. No. 11-02929 (BRL)

13 Civ. 01394 (JSR)

**CONSENT ORDER**

On consent of (i) the defendant in the above-listed captioned action (the “Defendant”), (ii) Irving H. Picard, as Trustee (the “Trustee”) for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, and (iii) the Securities Investor Protection Corporation (“SIPC”, together with the Defendants and the Trustee, the “Parties”), the Parties agree as follows:

*Picard v. LGT Bank in Liechtenstein Ltd.*, No. 11 Civ. 01394 (JSR) (the “LGT Bank Action”), was excluded from Exhibit A to the Order dated April 13, 2012, No. 12 MC 115 (S.D.N.Y. April 13, 2012) (ECF No. 4) (the “Stern Order”); Exhibit A to the Order dated May

12, 2012, No. 12 MC 115 (S.D.N.Y. May 16, 2012) (ECF No. 107) (the “Antecedent Debt Order”); Exhibit A to the Order dated May 15, 2012, No. 12 MC 115 (S.D.N.Y. May 16, 2012) (ECF No. 119) (the “Section 546(e) Order”); Exhibit A to the Order dated June 6, 2012, No. 12 MC 115 (S.D.N.Y. June 7, 2012) (ECF No. 167) (the “Extraterritoriality Order”); Exhibit A to the Order dated June 23, 2012, No. 12 MC 115 (S.D.N.Y. June 25, 2012) (ECF No. 197) (the “Good Faith Order”); and Exhibit A to the Order dated August 21, 2012, No. 12 MC 115 (S.D.N.Y. August 22, 2012) (ECF No. 314) (the “550(a) Order”) because the Trustee served the Summons and Complaint in the LGT Bank Action after the April 2, 2012 deadline for filing Motions to Withdraw the Reference to the Bankruptcy Court established pursuant to the *Administrative Order Establishing Deadline for Filing Motions to Withdraw the Reference*, Adv. Pro. No. 08-01789 (BRL) (Bank. S.D.N.Y. Mar. 5, 2012) (ECF No. 4707) (the “Withdrawal Motion Deadline”), and the relevant Motion in the LGT Bank Action was filed on February 28, 2013. As a result, the LGT Bank Action was also excluded from this Court’s Opinion and Order dated January 4, 2013 addressing the issues delineated in the Stern Order, No. 12 MC 115 (S.D.N.Y. January 4, 2013 (ECF No. 427) (the “Stern Opinion”). The Trustee, SIPC and the Defendant in the LGT Bank Action hereby agree that the Stern Order as entered shall apply to the LGT Action *nunc pro tunc* to April 13, 2012; the Antecedent Debt Order as entered shall apply to the LGT Bank Action *nunc pro tunc* to May 16, 2012; the Section 546(e) Order as entered shall apply to the LGT Bank Action *nunc pro tunc* to May 16, 2012; the Extraterritoriality Order as entered shall apply to the LGT Bank Action *nunc pro tunc* to June 7, 2012; the Good Faith Order as entered shall apply to the LGT Bank Action *nunc pro tunc* to June 25, 2012; the 550(a) Order as entered shall apply to the LGT Bank Action *nunc pro tunc* to August 22, 2012; and the Stern Opinion as entered shall apply to and be binding upon the parties

in the LGT Action *nunc pro tunc* to January 4, 2013. The moving Defendant in the LGT Bank Action will be covered by the Antecedent Debt Order, the Section 546(e) Order, the Extraterritoriality Order, the Good Faith Order, the 550(a) Order and the Stern Opinion in all respects.

SO ORDERED.

  
JED S. RAKOFF, U.S.D.J.

Date: New York, New York  
March 5, 2013